

**EXHIBIT 7 TO**  
**STATEMENT OF FACTS**

TTAB

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO THE COMMISSIONER FOR TRADEMARKS, 2900 CRYSTAL DRIVE, ARLINGTON, VA 22202-3514 ON THE DATE INDICATED BELOW

By: Robert Jacobs-MeadwayDATE: 9-14-04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

SEXY HAIR CONCEPTS, LLC,

Opposer,

v.

V SECRET CATALOGUE, INC.,

Applicant.

Opposition No. 125,739

(SO SEXY)

NOTICE OF RELIANCE

Honorable Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

Dear Commissioner:

Pursuant to T.B.M.P. §§707 and 708 and 37 C.F.R. §2.122(d), Opposer hereby gives notice that it intends to rely on the following evidence.

Certified copies of Certificates of Registration, with title and status, for the following U.S. Trademark Registrations:

<u>Registration No.</u>	<u>Mark</u>
2,403,396	SEXY HAIR
2,472,793	FORMULAS BY ECOLY BIG SEXY HAIR
2,486,702	SEXY HAIR & DESIGN
2,553,996	HOT SEXY HIGHLIGHTS
2,707,751	WILD SEXY HAIR
2,757,856	SEXY HAIR CONCEPTS & DESIGN

Respectfully submitted,

Dated: 9/14/04By: Robert Jacobs-Meadway

Robert Jacobs-Meadway  
Jay K. Meadway  
BALLARD SPAHR ANDREWS & INGERSOLL, LLP  
1735 Market Street – 51<sup>st</sup> Floor  
Philadelphia, PA 19103  
(215) 665-8500

ATTORNEYS FOR OPPOSER

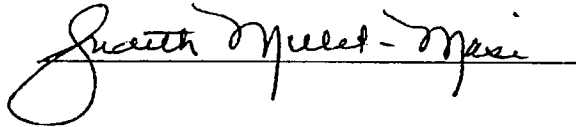


**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the attached Notice of Reliance filed with U.S. Trademark Trial and Appeal Board was served on counsel for the Applicant on the date listed below via overnight mail delivery:

Frank J. Colucci, Esquire  
Colucci & Umans  
Manhattan Tower  
101 East 52<sup>nd</sup> Street  
New York, NY 10022

Dated: 9-14, 2004

A handwritten signature in black ink, appearing to read "Joseph Mulet-Mansi", is written over a horizontal line.

1149566

# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

March 31, 2004

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,403,396 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *November 14, 2000*

SAID RECORDS SHOW TITLE TO BE IN:

*SEXY HAIR CONCEPTS, LLC*

*A LIMITED CALIFORNIA LIABILITY COMPANY*



By Authority of the  
COMMISSIONER OF PATENTS AND TRADEMARKS

*N. Woodson*  
N. WOODSON  
Certifying Officer

**Int. Cl.: 3**

**Prior U.S. Cls.: 1, 4, 6, 50, 51 and 52**

**Reg. No. 2,403,396**

**United States Patent and Trademark Office**

**Registered Nov. 14, 2000**

**TRADEMARK  
PRINCIPAL REGISTER**

**SEXY HAIR**

**ECOLY INTERNATIONAL, INC. (CALIFORNIA CORPORATION)  
9232 ETON AVENUE  
CHATSWORTH, CA 91311**

**FOR: HAIR CARE PRODUCTS FOR MEN, WOMEN AND CHILDREN, NAMELY HAIR SHAMPOOS, HAIR CONDITIONERS, HAIR LOTIONS, HAIR CREMES, HAIR GELS, HAIR SPRAYS, HAIR COLOR, HAIR DYES, HAIR RINSES, HAIR MOUSSE, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).**

**FIRST USE 6-15-1998; IN COMMERCE 12-21-1998.**

**NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "HAIR", APART FROM THE MARK AS SHOWN.**

**SER. NO. 75-634,213, FILED 2-5-1999.**

**LYNN A. LUTHEY, EXAMINING ATTORNEY**

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# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**January 05, 2004**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,472,793 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *July 31, 2001***

**SAID RECORDS SHOW TITLE TO BE IN:**

***SEXY HAIR CONCEPTS, LLC***

***A CALIFORNIA LIMITED LIABILITY COMPANY***



**By Authority of the  
COMMISSIONER OF PATENTS AND TRADEMARKS**

*L. Edelen*

**L. EDELEN  
Certifying Officer**

**Int. Cl.: 3**

**Prior U.S. Cls.: 1, 4, 6, 50, 51 and 52**

**Reg. No. 2,472,793**

**United States Patent and Trademark Office**

**Registered July 31, 2001**

**TRADEMARK  
PRINCIPAL REGISTER**

**FORMULAS BY ECOLY BIG SEXY HAIR**

**ECOLY INTERNATIONAL, INC. (CALIFORNIA  
CORPORATION)  
9232 ETON AVENUE  
CHATSWORTH, CA 91311**

**FIRST USE 6-15-1998; IN COMMERCE 12-21-1998.**

**OWNER OF U.S. REG. NO. 1,866,675.**

**FOR: HAIR CARE PRODUCTS FOR MEN, WO-  
MEN AND CHILDREN, NAMELY HAIR SHAM-  
POOS, HAIR CONDITIONERS, HAIR LOTIONS,  
HAIR CREAMS, HAIR GELS, HAIR SPRAYS, HAIR  
COLOR, HAIR DYES, HAIR RINSES, HAIR  
MOUSSE, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND  
52).**

**NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "HAIR", APART FROM THE MARK  
AS SHOWN.**

**SER. NO. 75-730,741, FILED 6-17-1999.**

**LYNN A. LUTHEY, EXAMINING ATTORNEY**

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# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

UNITED STATES DEPARTMENT OF COMMERCE .

United States Patent and Trademark Office

April 01, 2004

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,486,702 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *September 11, 2001*

SAID RECORDS SHOW TITLE TO BE IN:

*SEXY HAIR CONCEPTS, LLC*

*A CALIFORNIA LIMITED LIABILITY COMPANY*



By Authority of the  
COMMISSIONER OF PATENTS AND TRADEMARKS

*L. Edelen*

L. EDELEN  
Certifying Officer





**Int. Cl.: 3**

**Prior U.S. Cls.: 1, 4, 6, 50, 51 and 52**

**United States Patent and Trademark Office**

**Reg. No. 2,486,702**

**Registered Sep. 11, 2001**

**TRADEMARK  
PRINCIPAL REGISTER**



**ECOLY INTERNATIONAL, INC. (CALIFORNIA  
CORPORATION)  
9232 ETON AVENUE  
CHATSWORTH, CA 91311**

**NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "HAIR", APART FROM THE MARK  
AS SHOWN.**

**FOR: HAIR CARE PRODUCTS FOR MEN, WO-  
MEN AND CHILDREN, NAMELY SHAMPOOS,  
CONDITIONERS, HAIR LOTIONS, HAIR CONDI-  
TIONING CREAMS, HAIR GELS, HAIR SPRAYS,  
HAIR COLOR, HAIR TINT AND HAIR MOUSSE, IN  
CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).**

**THE MARK IS LINED FOR THE COLOR RED.**

**SER. NO. 75-751,842, FILED 7-15-1999.**

**FIRST USE 6-15-1998; IN COMMERCE 12-21-1998.**

**LYNN A. LUTHEY, EXAMINING ATTORNEY**

1149567

# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

April 01, 2004

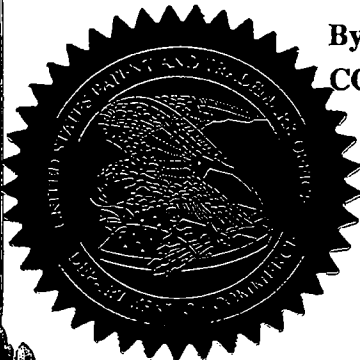
THE ATTACHED U.S. TRADEMARK REGISTRATION 2,553,996 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *March 26, 2002*

SAID RECORDS SHOW TITLE TO BE IN:

*SEXY HAIR CONCEPTS, LLC*

*A LIMITED LIABILITY COMPANY OF CALIFORNIA*



By Authority of the  
COMMISSIONER OF PATENTS AND TRADEMARKS

P. SWAIN  
Certifying Officer

**Int. Cl.: 3**

**Prior U.S. Cls.: 1, 4, 6, 50, 51, and 52**

**United States Patent and Trademark Office**

**Reg. No. 2,553,996**

**Registered Mar. 26, 2002**

**TRADEMARK  
PRINCIPAL REGISTER**

**HOT SEXY HIGHLIGHTS**

**ECOLY INTERNATIONAL, INC. (CALIFORNIA  
CORPORATION)  
9232 ETON AVENUE  
CHATSWORTH, CA 91311**

**FIRST USE 7-0-2000; IN COMMERCE 7-0-2000.**

**FOR: HAIR CARE PRODUCTS FOR MEN, WO-  
MEN AND CHILDREN, NAMELY, SHAMPOOS,  
CONDITIONERS, HAIR LOTIONS, HAIR CONDI-  
TIONING CREAMS, HAIR GELS, HAIR SPRAYS,  
HAIR COLOR, HAIR TINT AND HAIR MOUSSE, IN  
CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).**

**NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "HIGHLIGHTS", APART FROM  
THE MARK AS SHOWN.**

**SN 76-075,306, FILED 6-22-2000.**

**ELLEN PERKINS, EXAMINING ATTORNEY**

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# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**January 05, 2004**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,707,751 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *April 15, 2003***

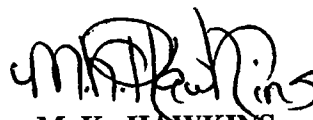
**SAID RECORDS SHOW TITLE TO BE IN:**

***SEXY HAIR CONCEPTS, LLC***

***A CALIFORNIA LIMITED LIABILITY COMPANY***



**By Authority of the  
COMMISSIONER OF PATENTS AND TRADEMARKS**

  
**M. K. HAWKINS**  
**Certifying Officer**

**Int. Cl.: 3**

**Prior U.S. Cls.: 1, 4, 6, 50, 51, and 52**

**United States Patent and Trademark Office**

**Reg. No. 2,707,751**

**Registered Apr. 15, 2003**

**TRADEMARK  
PRINCIPAL REGISTER**

**WILD SEXY HAIR**

SEXY HAIR CONCEPTS, LLC (CALIFORNIA  
LTD LIAB CO)  
9232 ETON AVENUE  
CHATSWORTH, CA 91311 BY ASSIGNMENT ECO-  
LY INTERNATIONAL, INC. (CALIFORNIA COR-  
PORATION) CHATSWORTH, CA 91311

FOR: HAIR CARE PRODUCTS FOR MEN, WO-  
MEN, AND CHILDREN, NAMELY HAIR SHAM-  
POOS, HAIR CONDITIONERS, HAIR LOTIONS,  
HAIR CREMES, HAIR GELS, HAIR SPRAYS, HAIR  
COLOR, HAIR DYES, HAIR RINSES, HAIR  
MOUSSE, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND  
52).

FIRST USE 8-15-2002; IN COMMERCE 8-15-2002.

OWNER OF U.S. REG. NO. 2,403,396.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "HAIR", APART FROM THE MARK  
AS SHOWN.

SN 76-260,669, FILED 5-22-2001.

PAUL F. GAST, EXAMINING ATTORNEY

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# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**January 05, 2004**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,757,856 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *September 02, 2003***

**SAID RECORDS SHOW TITLE TO BE IN:**

***SEXY HAIR CONCEPTS, LLC***

***A CALIFORNIA LIMITED LIABILITY COMPANY***



**By Authority of the  
COMMISSIONER OF PATENTS AND TRADEMARKS**

*L. Edelen*

**L. EDELEN  
Certifying Officer**

**Int. Cl.: 3**

**Prior U.S. Cls.: 1, 4, 6, 50, 51 and 52**

**Reg. No. 2,757,856**

**United States Patent and Trademark Office**

**Registered Sep. 2, 2003**

**TRADEMARK  
PRINCIPAL REGISTER**



SEXY HAIR CONCEPTS, LLC (CALIFORNIA  
LTD LIAB CO)  
9232 ETON AVENUE  
CHATSWORTH, CA 91311, BY ASSIGNMENT ECO-  
LY INTERNATIONAL, INC. (CALIFORNIA COR-  
PORATION) CHATSWORTH, CA 91311

FOR: HAIR CARE PRODUCTS FOR MEN, WO-  
MEN AND CHILDREN, NAMELY HAIR SHAM-  
POOS, HAIR CONDITIONERS, HAIR LOTIONS,  
HAIR CREAMS, HAIR GELS, HAIR SPRAYS, HAIR  
COLOR, HAIR DYES, HAIR RINSES, HAIR

MOUSSE, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND  
52).

FIRST USE 7-1-2000; IN COMMERCE 7-1-2000.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "HAIR", APART FROM THE MARK  
AS SHOWN.

SER. NO. 76-017,117, FILED 4-4-2000.

SUSAN HAYASH, EXAMINING ATTORNEY